

# Order

Entered: March 11, 2003

Michigan Supreme Court  
Lansing, Michigan

Maura D. Corrigan,  
Chief Justice

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Clifford W. Taylor  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

2002-52

## Proposed Amendment of Rule 15 of the Rules Concerning the State Bar of Michigan

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On order of the Court, this is to advise that the Court is considering an amendment of Rule 15 of the Rules Concerning the State Bar of Michigan. Before determining whether the proposal should be adopted, changed before adoption, or rejected, this notice is given to afford interested persons the opportunity to comment on the form or the merits of the proposal, or to suggest alternatives. The Court welcomes the views of all. This matter will be considered at a public hearing before the Court makes a final decision. The schedule and agendas for public hearings are posted on the Court's website, [www.courts.michigan.gov/supremecourt](http://www.courts.michigan.gov/supremecourt).

Publication of this proposal does not mean that the Court will issue an order on the subject, nor does it imply probable adoption of the proposal in its present form.

[The present language would be amended as indicated below by underlining for new text and strikeouts for text that would be deleted.]

### Rule 15 Admission to the Bar

#### *Section 1. Character and Fitness Committees*

(1) - (16) [Unchanged.]

- (17) If an application is withdrawn following an adverse recommendation by a district committee or the standing committee, or, if following such an adverse recommendation the applicant fails to appear for further proceedings, the standing committee shall notify the applicant that the application for admission to the bar may not be renewed until the expiration of ~~three~~ two years or such greater ~~lesser~~ period as the committee specifies, up to a maximum period of five years. The notification shall specify the reasons for the imposition of a waiting period that is longer than two years.

- (18) An applicant who has been denied character and fitness certification for admission to the bar by the Board of Law Examiners may not reapply for character and fitness certification for a period of ~~five~~ two years following the denial or such ~~lesser~~ greater period specified in the decision denying certification, up to a maximum period of five years. The decision shall specify the reasons for the imposition of a waiting period that is longer than two years.

(19) - (21) [Unchanged.]

Sections 2.-3. [Unchanged.]

Staff Comment: The proposed amendment of Rule 15, § 1, of the Rules Concerning the State Bar of Michigan is based on a recommendation from the Board of Commissioners of the State Bar of Michigan. The proposed amendment would make uniform the length of time that an unsuccessful bar candidate must wait before reapplying for admission. The time period for reapplication after an adverse determination by a district character and fitness committee or the Standing Committee on Character and Fitness would be two years, rather than the current three years, unless the committee specifies a longer period of up to five years. Similarly, the time period for reapplication after an adverse determination by the Board of Law Examiners would be two years, rather than the current five years, unless the board specifies a longer period of up to five years. If a longer waiting period is imposed, the notification or board decision shall specify the reasons for the longer waiting period.

Staff comments are published only for the benefit of the bench and bar and are not an authoritative construction by the Court.

A copy of this order will be given to the Secretary of the State Bar and to the State Court Administrator so that they can make the notifications specified in MCR 1.201. Comments on these proposals may be sent to the Supreme Court Clerk in writing or electronically by July 1, 2003, at P.O. Box 30052, Lansing, MI 48909, or [MSC\\_clerk@courts.mi.gov](mailto:MSC_clerk@courts.mi.gov). When filing a comment, please refer to ADM File No. 2002-52. Your comments and the comments of others will be posted at [www.courts.michigan.gov/supremecourt](http://www.courts.michigan.gov/supremecourt).



I, CORBIN R. DAVIS, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 11, 200<sup>2</sup><sub>3</sub>

Corbin R. Davis

Clerk